IFW
AC | 3624 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DEAN A. SEIFERT ET AL.

Group Art Unit: 3621

Examiner: Calvin L. Hewitt, II

Serial No.: 09/975,171

Filed: October 10, 2001

For: METHOD AND SYSTEM FOR PERFORMING MONEY TRANSFER TRANSACTIONS

Attorney Docket No.: FDC 0163 PUS

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Mail Stop Appeal Brief - Patents
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an Appeal Brief from the final rejection of claims 1-65 of the Office Action mailed on March 22, 2005 for the above-identified patent application.

08/22/2005 AKELECH1 00000052 09975171
01 FC:1402 500.00 OP

I. REAL PARTY IN INTEREST

The real party in interest is First Data Corporation, a corporation organized and existing under the laws of the state of Delaware, and having a place of business at 401 Hackensack, Hackensack, New Jersey, as set forth in the assignment recorded in the U.S. Patent and Trademark Office on October 10, 2001 at Reel 012250/Frame 0614.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on

8/18/05 — Date of Deposit
Michael D. Cushion — Name of Person Signing
Michael D Cushion — Signature

II. RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences known to the Appellants, the Appellants' legal representative, or the Assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1-65 are pending in this application. Claims 1-65 have been finally rejected and are the subject of this appeal. These claims are reproduces in the Claims Appendix. Of the pending claims, claims 1, 17, 30, 31, 34 and 45 are the only independent claims.

IV. STATUS OF AMENDMENTS

No amendment after the Final Office Action rejection was filed.

V. SUMMARY OF CLAIMED SUBJECT MATTER

A. Independent Claim 1

Independent claim 1 recites a method for performing a money transfer receive transaction. The money transfer receive transaction, which is performed subsequent to a money transfer send transaction, includes the step 124 of loading payout funds in a payout account associated with a payout card. The amount of the payout funds loaded into the payout account may correspond to all or just a portion of a desired amount of money to be transferred from a sender to a recipient, which was collected from the sender during the money transfer

send transaction. Once the payout funds are loaded in the payout account, they are electronically accessible by the recipient when subsequently using the payout card. (*Specification*, p. 5, lines 6-11; p. 11, lines 21-30; Fig. 2b).

B. Independent Claim 17

Independent claim 17 recites a method for performing a money transfer transaction. The method includes the step 107 of storing transaction data on a host computer system, including a desired amount of money to be transferred to a recipient. (*Specification*, p. 9, lines 7-8; Fig. 2a). Once the transaction data is stored on the host computer system, the receive transaction can commence. Continuing with the money transfer transaction, the method further includes the step 112 of receiving transaction identifying information provided by the recipient and the step 116 of comparing the transaction identifying information with the transaction data stored on the host computer system. (*Specification*, p. 10, lines 2-17; Fig. 2a). If the transaction identifying information provided by the recipient matches the transaction data stored on the host computer system, at least a portion of the desired amount of money to be transferred may be loaded as payout funds in a payout account, as indicated by step 124. The payout account is associated with a payout card issued to the recipient for electronically accessing the payout funds during a subsequent transaction. (*Specification*, p. 11, lines 21-30; p. 14, lines 7-8; Fig. 2b).

C. Independent Claim 30

Independent claim 30 recites a method for performing a money transfer transaction including both a send transaction and a receive transaction. The send transaction includes the step 107 of storing transaction data on a host computer system, including a desired amount of money to be transferred to a recipient. (*Specification*, p. 9, lines 7-8; Fig. 2a). Once the transaction data is stored on the host computer system, the receive transaction can

commence. The receive transaction is staged through a receive-transaction initiating terminal and subsequently fulfilled through a receive-transaction fulfillment terminal. The staging process of the receive transaction includes the step 115 of receiving transaction identifying information from the receive-transaction initiating terminal in communication with the host computer system. The transaction identifying information received from the receive-transaction initiating terminal is provided by the recipient. (*Specification*, p. 10, lines 2-17; Fig. 2a). The method further includes the step 116 of comparing the transaction identifying information with the transaction data already stored on the host computer system. (*Specification*, p. 10, lines 15-21; Fig. 2a). Next, card identifying information associated with a payout card is received at the host computer and stored on the host computer system at step 121. The card identifying information, which may include an account number, is obtained from the receive-transaction initiating terminal, and the payout card is selected from a source of payout cards maintained at a common location with the receive-transaction initiating terminal. (*Specification*, p. 10, line 22 to p. 11, line 6; Fig. 2a). If the transaction identifying information provided by the recipient matches the transaction data stored on the host computer system, at least a portion of the desired amount of money to be transferred may be loaded as payout funds in an account associated with the selected payout card account number, as indicated by step 124. The account is also maintained on the host computer system. (*Specification*, p. 11, lines 21-30; Fig. 2b).

The receive portion of the money transfer transaction can be fulfilled at any time after the receive transaction is staged. The fulfillment process of the receive transaction includes the step 128 of receiving input associated with the payout card from the receive-transaction fulfillment terminal in communication with the host computer system. (*Specification*, p. 14, lines 7-23; Fig. 2b). The input is then compared to the card identifying information stored on the host computer system, as indicated by step 130. (*Specification*, p. 14, lines ~~23~~ 23-25; Fig. 2c). If the input matches the card identifying information, funds corresponding to the payout funds are dispensed by the receive-transaction fulfillment terminal,

as indicated by step 132. (*Specification*, p. 15, lines 1-4; Fig. 2c). Moreover, the method further includes allowing the payout account to be exceeded by a predetermined amount in order to cover a transaction fee (step 134). (*Specification*, p. 15, lines 4-12; Fig. 2c).

D. Independent Claim 31

Independent claim 31 also recites a method for performing a money transfer receive transaction. The method includes the step 120 of entering card identifying information associated with a payout card into a receive-transaction initiating terminal. (*Specification*, p. 10, line 26 to p. 11, line 3; Fig. 2b). The receive-transaction initiating terminal is in communication with a host computer system. (*Specification*, p. 11, lines 4-6). The method further includes requesting, via the receive-transaction initiating terminal, that the host computer system load payout funds into a payout account associated with the payout card. The payout funds correspond to at least a portion of a desired amount of money to be transferred from a sender to a recipient. (*Specification*, p. 10, line 23 to p. 11, line 30; Fig. 2a - Fig. 2b). Finally, once the payout funds are loaded, the method includes providing the payout card to the recipient (step 125). (*Specification*, p. 11, line 30 to p. 12, line 2; Fig. 2b).

E. Independent Claim 34

Independent claim 34 recites a system for performing a money transfer receive transaction. (*see* Fig. 1). The system comprises a host computer system 20 including instructions for loading payout funds in a payout account associated with a payout card so that the funds may be later accessible by a recipient issued the payout card. The payout funds correspond to a desired amount of money to be transferred from a sender to the recipient. (*Specification*, p. 11, lines 21-30; Fig. 2b).

F. Independent Claim 45

Independent claim 45 recites a system for performing a money transfer transaction. (*see* Fig. 1). The system includes a host computer system 20 for storing transaction data, which includes a desired amount of money to be transferred to a recipient. The system also includes a terminal 24 in communication with the host computer system. The terminal is capable of receiving transaction identifying information and transmitting the transaction identifying information to the host computer system. (*Specification*, p. 7, lines 11-21; Fig. 2a). The host computer system is operative to compare the transaction identifying information with the stored transaction data. (*see* Fig. 2a). If the transaction identifying information matches the stored transaction data, the host computer system is operative to load payout funds corresponding to the desired amount of money to be transferred into a payout account associated with a payout card. (*see* Fig. 2b)

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claim 65 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claims 30, 58 and 60 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Appellants regard as the invention.

Claims 1-5, 14-21, 31-37, 45-49 and 60 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,937,396, issued to Konya (hereinafter "Konya").

Claims 6, 22, 38 and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Konya in view of U.S. Patent No. 6,394,343, issued to Berg et al. (hereinafter "Berg").

Claims 7-13, 23-29, 39-41 and 51-53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Konya in view of Berg and in further view of U.S. Patent No. 6,736,314, issued to Cooper et al (hereinafter "Cooper").

Claims 10-13, 26-30, 42-44, 54-59 and 61-64 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Konya.

Claim 65 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Konya in view of U.S. Patent No. 6,032,137, issued to Ballard (hereinafter "Ballard").

VII. ARGUMENT

A. Claim 65 Is Patentable Under 35 U.S.C. § 112, First Paragraph

Claim 65, which depends from independent claim 30, recites the additional limitation that "the payout card is anonymous as to the recipient's name." Claim 65 is fully supported by Appellants' original disclosure, which explains that such payout cards can be anonymous though they may be associated with a particular payout account. (*Specification*, p. 6, lines 10-26). Appellants maintain that claim 65 is patentable with or without the phrase "as to the recipient's name," which is believed to be redundant as the term anonymous means *having an unknown or unacknowledged name*. (see http://dictionary.reference.com/search?q=anonymous). The phrase "as to the recipient's name" was added only to expressly convey the nature of the anonymity to the Examiner.

Accordingly, Appellants respectfully request the Board to reverse the § 112 rejection of claim 65.

B. Claims 30, 58 and 60 Are Patentable Under 35 U.S.C. § 112, Second Paragraph

Each of claims 30, 58 and 60 stand rejected under 35 U.S.C. § 112, second paragraph, for various reasons. Appellants address each separate rejection individually below.

1. Claim 30

Claim 30 is rejected for indefiniteness due to a previous limitation reciting an "anonymous payout card." However, claim 30 no longer recites that the payout card is "anonymous." (see Claims Appendix attached). Appellants removed the "anonymous" limitation in a previous amendment filed on December 22, 2004. Notwithstanding, the Examiner maintains his original rejection though it no longer applies, perhaps due to an oversight. Thus, Appellants respectfully request the Board to reverse this rejection as well.

2. Claim 58

Claim 58 depends from claim 57, which depends from claim 1. Claim 57 recites receiving, at a host computer system, prior to the loading step recited in claim 1, card identifying information associated with the payout card and determining whether the payout card is eligible for use in the receive transaction. Claim 58 further requires that the determining step include determining whether the payout card was previously assigned to an agent location involved in the receive transaction.

Appellants are confused by the Examiner's rejection of claim 58. The Examiner argues that it is not clear "how the identity of an agent involved in a recipient receiving said

funds can be known" because the determining step in claim 58 is performed prior to payout funds being loaded into a payout account. However, a recipient's interaction with a receive-agent and/or agent location, if an agent is utilized to facilitate the receive transaction, may occur prior to payout funds ever being loaded into a payout account associated with a payout card. (*Specification*, p. 10, lines 2-7).

Money transfer transactions may be facilitated by an agent. (*Specification*, p. 5, lines 11-16). For example, an intended recipient of a money transfer may arrive at an agent location to stage a money transfer receive transaction. The agent must typically identify the recipient as the intended recipient of the funds to be transferred. Then, the recipient may elect, or the agent may require, at least a portion of the funds to be transferred to be loaded into a payout account associated with a payout card. Once the payout card is issued to the recipient, the recipient may subsequently fulfill the receive transaction by withdrawing the funds at a receive-transaction fulfillment terminal. (*Specification*, p. 10, line 2 to p. 18, line 10).

However, prior to funds being loaded into the payout account, the card identifying information may be received at a host computer system. The specification contemplates, for example, that the payout card can be selected from a source of payout cards located at the agent location. Each payout card from the source of payout cards may have an assigned account code printed or recorded thereon. Preferably, the account codes for all payout cards provided to a particular receive-agent or associated agent location are stored on the host computer system. Thus, when the host computer system receives card identifying information from a selected payout card, the host computer system can confirm whether the selected card was previously assigned to that particular agent location. If, for example, the host computer system determines that the selected payout card was not previously assigned to the agent location, the transaction may not proceed or the host computer system may request another payout card to be selected. This step provides an added measure of security by permitting the host computer system to ensure the cards provided to a particular agent location

are being issued at that particular agent location. (*Specification*, p. 10, line 26 to p. 11, line 30).

Accordingly, Appellants submit that it is clear to one of ordinary skill in the art how "determining whether the payout card was previously assigned to an agent location involved in the receive transaction" can be performed prior to "loading payout funds" into a payout account associated with a payout card.

Moreover, claim 58 was rejected because the term "the receive transaction" lacks sufficient antecedent basis. However, the receive transaction is properly introduced in the preamble of claim 1. For the foregoing reasons, claim 58 is believed to be allowable and the outstanding rejections should be reversed, which action is respectfully requested.

3. **Claim 60**

Claim 60 depends from claim 1 and recites the additional limitation "wherein the payout account is not accessible by the sender." The Examiner has rejected this claim as unclear contending that claim 1 "discloses a sender loading funds into an account accessible by a recipient." Claim 1 recites nothing about a *sender* loading funds into an account accessible by the recipient. In fact, claim 1 is directed to a method for performing a money transfer *receive* transaction. It is not until this *receive* transaction is staged by the recipient that payout funds are loaded into a payout account associated with a payout card such that the funds are electronically accessible by the recipient. The payout card and associated payout account do not even enter the picture until after the send transaction is completed and the sender's involvement in the money transfer has concluded. After the payout funds are loaded into the payout account during the receive transaction, claim 60 clearly contemplates that the sender may not access the payout account. Accordingly, the § 112 rejection of claim 60 should also be reversed.

C. Claims 1-5, 14-21, 31-37, 45-49 and 60 Are Patentable Under 35 U.S.C. § 102(b) Over Konya

The law is clear that a single reference must teach each and every element of a claim, either expressly or inherently, to anticipate the claim. (*see* MPEP § 2131). The Examiner has failed to make the requisite showing of anticipation for at least the reasons presented below.

1. Claim 1

Claim 1 is directed to a method for performing a money transfer *receive* transaction and recites "loading payout funds, corresponding to at least a portion of a desired amount of money to be transferred from a sender to a recipient, in a payout account associated with a payout card, such that the payout funds are electronically accessible by the recipient using the payout card." Contrary to the Examiner's assertion, this feature is not disclosed in Konya. Instead, Konya explicitly and repeatedly discloses that funds *are not actually transferred* to a second account associated with a transaction card of a recipient. (*Konya*, abstract; col. 6, lines 37-41; col. 9, lines 28-30). Rather, the transaction card in Konya is used by the recipient *solely* to identify the recipient when attempting to withdraw the "transferred" funds. (*Konya*, abstract; col. 6, lines 18-21; col. 6, lines 38-40). In Konya, after the funds are dispensed to the recipient, the sender's account is then debited the amount of the transaction. (*Konya*, col. 6, lines 20-25; col. 9, line 30; col. 11, lines 59-66). Thus, in Konya, payout funds are never actually loaded into a payout account associated with a payout card; they remain in a sender's account until after they are dispensed to a recipient from an ATM.

It should be pointed out that the Examiner agrees with Appellants' analysis when applied to the embodiment in Konya where both the sender and the recipient have accounts at the same financial institution. Yet the Examiner contends that Konya teaches otherwise when

multiple financial institutions are involved and directs Appellants' attention to Konya, column 9, lines 39-65 to support his argument. However, this passage fails to support the Examiner's position.

A careful reading of the entire Konya disclosure teaches that funds are not actually transferred from the sender's account when multiple financial institutions are involved, much like the single financial institution embodiment. In Konya, when the money transfer transaction is initiated by the sender, information regarding the transaction is transmitted to the main computer. This information includes the sender's bank account number and the routing code of the sender's bank, for example, so that the main computer can identify the specific account from which the currency must be debited after funds are dispensed to a recipient. (*Konya*, col. 10, line 62 to col. 11, line 66). In Konya, after the funds are dispensed to the recipient, the transaction is still incomplete. The routing code and the account number stored in the main computer system are used to identify the specific account at the bank from which the currency must then be debited. (*Konya*, col. 11, lines 49-66).

Accordingly, Konya clearly fails to disclose "loading payout funds, corresponding to at least a portion of a desired amount of money to be transferred from a sender to a recipient, in a payout account associated with a payout card, such that the payout funds are electronically accessible by the recipient using the payout card." Neither Konya's single financial institution embodiment nor Konya's multiple financial institution embodiment teach the recited step. Thus, the Examiner's § 102(b) rejection of claim 1 and its associated dependent claims, claims 2-5, 14-16 and 60, is believed to be improper and should be reversed.

2. Claim 17

Similar to claim 1, independent claim 17 includes the step of "loading payout funds corresponding to at least a portion of the desired amount of money to be transferred in

a payout account associated with a payout card." Claim 17 is therefore believed to be patentable for at least the foregoing reasons regarding the patentability of claim 1. Thus, the Examiner's § 102(b) rejection of claim 17 and its associated dependent claims, claims 18-21, is improper ad should be reversed.

3. Claims 2-5, 14-16, 18-21 and 60

Because claims 2-5, 14-16 and 60 depend from claim 1 and include all of the limitations thereof, these claims are believed to be patentable for at least the reasons given above with respect to claim 1. Likewise, since claims 18-21 depend from claim 17 and include all of the limitations thereof, these claims are believed to be patentable for at least the reasons given above with respect to claim 17. It should be noted, however, that many of these dependent claims recite additional features that are not disclosed in Konya.

a. Claims 14 and 15

For example, claim 14, which depends from claim 1, recites the additional step of "authorizing issuance of a negotiable instrument to the recipient that corresponds to another portion of the desired amount of money to be transferred." Claim 15, also depending from claim 1, recites the additional step of "authorizing issuance of cash to the recipient that corresponds to another portion of the desired amount of money to be transferred." When incorporating the limitations of claim 1, claims 14 and 15 effectively recite:

> A method for performing a money transfer receive transaction, the method comprising:
>
> loading payout funds, corresponding to at least a portion of a desired amount of money to be transferred from a sender to a recipient, in a payout account associated with a payout card,

such that the payout funds are electronically accessible by the recipient using the payout card; and

authorizing issuance of a negotiable instrument (claim 14) or cash (claim 15) to the recipient that corresponds to another portion of the desired amount of money to be transferred.

Konya does not disclose each of these steps. Rather, Konya teaches dispensing cash from a sender's account to a recipient identified by his previously-owned bank card. (*Konya*, abstract). Konya fails to disclose loading at least a portion of the funds into an associated with the recipient's bank card during the receive transaction and also authorizing issuance of a negotiable instrument or cash corresponding to another portion of the funds to be transferred.

The Examiner argues, however, that it is inherent that a user can withdraw an amount less than the amount present. While it may be inherent in most banking transactions that a user can withdraw an amount from an account less than the amount present, it is not an inherent characteristic of Konya that a portion of the funds gets loaded into a payout account associated with a payout card and another portion gets dispensed as a negotiable instrument or cash. The Examiner must "provide a basis in fact...to reasonably support the determination that the alleged inherent characteristic necessarily flows from" Konya. *Ex parte Levy*, 17 USPQ2d 1461, 1464 (BPAI 1990) (emphasis in original). The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). Thus, a rejection based on an inherent teaching of the prior art is only sustainable if the inherence is certain, and is a necessary result or characteristic, not merely a possible result or characteristic. Because Konya does not necessarily load a portion of the funds into an account associated with the recipient's previously owned bank transaction card

and also authorize issuance of a negotiable instrument or cash corresponding to another portion of the funds to be transferred, the characteristic proposed by the Examiner is far from inherent. It is clearly not a certain and necessary characteristic.

Konya recognizes that under certain circumstances a recipient may not posses a current transaction card. The system may create and issue one upon presentation of proper identification. (*Konya*, col. 12, lines 21-23) The issued transaction card may be used at an ATM to withdraw the transferred currency. Thus, Konya teaches that the recipient either receives cash or receives a transaction card, but is not necessarily issued both. In view of the differences between the claim method for performing a money transfer receive transaction and the system for ATM to ATM transfers discussed in Konya, the characteristic proposed by the Examiner is not inherent. Accordingly, the rejection of claims 14 and 15 is improper and should be reversed.

b. Claim 60

As another example, claim 60, which depends from claim 1, recites the additional limitation "wherein the payout account is not accessible by the sender." This feature is clearly not disclosed by Konya. Instead, Konya teaches that "transferred" funds are reserved in the sender's account, dispensed to the recipient, and then debited from the sender's account. (*Konya*, col. 11, lines 6-66). Thus, in Konya, the sender's account is the payout account, which is accessible by the sender.

4. Claim 31

Independent claim 31 is directed to a method for performing a money transfer *receive* transaction and recites "requesting via the receive-transaction initiating terminal that the host computer system load payout funds, corresponding to at least a portion of a desired

amount of money to be transferred from a sender to a recipient, into a payout account associated with a payout card." This step is similar to the "loading" step in claims 1 and 17 and is likewise not disclosed in Konya, contrary to the Examiner's contention. Instead, Konya explicitly and repeatedly discloses that funds *are not actually transferred* to a second account associated with a transaction card of a recipient. (*Konya*, abstract; col. 6, lines 37-41; col. 9, lines 28-30). Rather, the transaction card in Konya is used by the recipient *solely* to identify the recipient when attempting to withdraw the "transferred" funds. (*Konya*, abstract; col. 6, lines 18-21; col. 6, lines 38-40). In Konya, after the funds are dispensed to the recipient, the sender's account is then debited the amount of the transaction. (*Konya*, col. 6, lines 20-25; col. 9, line 30; p. 11, lines 59-66). Thus, in Konya, payout funds are never actually loaded into a payout account associated with a payout card; they remain in a sender's account until after they are dispensed to a recipient from an ATM.

It should be pointed out that the Examiner agrees with Appellants' analysis when applied to the embodiment in Konya where both the sender and the recipient have accounts at the same financial institution. Yet the Examiner contends that Konya teaches otherwise when multiple financial institutions are involved and directs Appellants' attention to Konya, column 9, lines 39-65 to support his argument. However, this passage fails to support the Examiner's position.

A careful reading of the entire Konya disclosure teaches that funds are not actually transferred from the sender's account when multiple financial institutions are involved, much like the single financial institution embodiment. In Konya, when the money transfer transaction is initiated by the sender, information regarding the transaction is transmitted to the main computer. This information includes the sender's bank account number and the routing code of the sender's bank, for example, so that the main computer can identify the specific account from which the currency must be debited after funds are dispensed to a recipient. (*Konya*, col. 10, line 62 to col. 11, line 66). In Konya, after the funds are dispensed to the

recipient, the transaction is still incomplete. The routing code and the account number stored in the main computer system are used to identify the specific account at the bank from which the currency must then be debited. (*Konya*, col. 11, lines 49-66).

Accordingly, Konya clearly fails to disclose "requesting via the receive-transaction initiating terminal that the host computer system load payout funds, corresponding to at least a portion of a desired amount of money to be transferred from a sender to a recipient, into a payout account associated with a payout card." Neither Konya's single financial institution embodiment nor Konya's multiple financial institution embodiment teach the recited step. Thus, the Examiner's § 102(b) rejection of claim 31 is believed to be improper and should be reversed.

5. Claims 32 and 33

Because claims 32 and 33 depend from claim 31 and include all of the limitations thereof, these claims are believed to be patentable for at least the reasons given above with respect to claim 31. It should be noted, however, that these claims recite additional features that are not disclosed in Konya. More specifically, Claim 32 recites the additional step of "issuing a negotiable instrument to the recipient that corresponds to another portion of the desired amount of money to be transferred." Meanwhile, claim 33 recites the additional step of "issuing cash to the recipient that corresponds to another portion of the desired amount of money to be transferred." When incorporating the limitations of claim 31, claims 32 and 33 effectively recite:

> A method for performing a money transfer receive transaction, the method comprising:

entering card identifying information associated with a payout card into a receive-transaction initiating terminal that is in communication with a host computer system;

requesting via the receive-transaction initiating terminal that the host computer system load payout funds, corresponding to at least a portion of a desired amount of money to be transferred from a sender to a recipient, into a payout account associated with the payout card;

providing the payout card to the recipient; and

issuing a negotiable instrument (claim 32) or cash (claim 33) to the recipient that corresponds to another portion of the desired amount of money to be transferred.

Konya does not disclose each and of these steps. Rather, Konya teaches dispensing cash from a sender's account to a recipient identified by his previously-owned bank card. (*Konya*, abstract). Konya fails to disclose requesting via the receive-transaction initiating terminal that the host computer system load payout funds, corresponding to at least a portion of a desired amount of money to be transferred from a sender to a recipient, into a payout account associated with the payout card and also issuing a negotiable instrument or cash corresponding to another portion of the funds to be transferred.

The Examiner argues, however, that it is inherent that a user can withdraw an amount less than the amount present. While it may be inherent in most banking transactions that a user can withdraw an amount from an account less than the amount present, it is not an inherent characteristic of Konya that a portion of the funds gets loaded into a payout account associated with a payout card that is provided to the recipient and another portion gets dispensed as a negotiable instrument or cash. The Examiner must "provide a basis in fact...to reasonably support the determination that the alleged inherent characteristic necessarily flows

from" Konya. *Ex parte Levy*, 17 USPQ2d 1461, 1464 (BPAI 1990) (emphasis in original). The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). Thus, a rejection based on an inherent teaching of the prior art is only sustainable if the inherence is certain, and is a necessary result or characteristic, not merely a possible result or characteristic. Because the process disclosed in Konya does not necessarily involve requesting via the receive-transaction initiating terminal that the host computer system load payout funds, corresponding to at least a portion of a desired amount of money to be transferred from a sender to a recipient, into a payout account associated with the payout card and also issuing a negotiable instrument or cash corresponding to another portion of the funds to be transferred, the characteristic proposed by the Examiner is far from inherent. It is clearly not a certain and necessary characteristic.

Konya recognizes that under certain circumstances a recipient may not posses a current transaction card. The system may create and issue one upon presentation of proper identification. The issued transaction card may be used at an ATM to withdraw the transferred currency. Thus, Konya teaches that the recipient either receives cash or receives a transaction card, but is not necessarily issued both. In view of the differences between the claim method for performing a money transfer receive transaction and the system for ATM to ATM transfers discussed in Konya, the characteristic proposed by the Examiner is not inherent. Accordingly, the rejection of claims 32 and 33 is improper and should be reversed.

6. Independent Claim 34 and Associated Dependent Claims 35-37

Independent claim 34 is directed to a system for performing a money transfer *receive* transaction and recites "a host computer system including instructions for loading payout funds, corresponding to a desired amount of money to be transferred from a sender to a recipient, in a payout account associated with a payout card, such that the payout funds are

electronically accessible by the recipient using the payout card." Contrary to the Examiner's assertion, this feature is not disclosed in Konya. Instead, Konya explicitly and repeatedly discloses that funds *are <u>not</u> actually transferred* to a second account associated with a transaction card of a recipient. (*Konya*, abstract; col. 6, lines 37-41; col. 9, lines 28-30). Rather, the transaction card in Konya is used by the recipient *solely* to identify the recipient when attempting to withdraw the "transferred" funds. (*Konya*, abstract; col. 6, lines 18-21; col. 6, lines 38-40). In Konya, after the funds are dispensed to the recipient, the sender's account is then debited the amount of the transaction. (*Konya*, col. 6, lines 20-25; col. 9, line 30; col. 11, lines 59-66). Thus, in Konya, payout funds are never actually loaded into a payout account associated with a payout card; they remain in a sender's account until after they are dispensed to a recipient from an ATM.

It should be pointed out that the Examiner agrees with Appellants' analysis when applied to the embodiment in Konya where both the sender and the recipient have accounts at the same financial institution. Yet the Examiner contends that Konya teaches otherwise when multiple financial institutions are involved and directs Appellants' attention to Konya, column 9, lines 39-65 to support his argument. However, this passage fails to support the Examiner's position.

A careful reading of the entire Konya disclosure teaches that funds are not actually transferred from the sender's account when multiple financial institutions are involved, much like the single financial institution embodiment. In Konya, when the money transfer transaction is initiated by the sender, information regarding the transaction is transmitted to the main computer. This information includes the sender's bank account number and the routing code of the sender's bank, for example, so that the main computer can identify the specific account from which the currency must be debited after funds are dispensed to a recipient. (*Konya*, col. 10, line 62 to col. 11, line 66). In Konya, after the funds are dispensed to the recipient, the transaction is still incomplete. The routing code and the account number stored

in the main computer system are used to identify the specific account at the bank from which the currency must then be debited. (*Konya*, col. 11, lines 49-66).

Accordingly, Konya clearly fails to disclose "a host computer system including instructions for loading payout funds, corresponding to a desired amount of money to be transferred from a sender to a recipient, in a payout account associated with a payout card, such that the payout funds are electronically accessible by the recipient using the payout card." Neither Konya's single financial institution embodiment nor Konya's multiple financial institution embodiment teach the recited element. Thus, the Examiner's § 102(b) rejection of claim 34 and its associated dependent claims, claims 35-37, is believed to be improper and should be reversed.

7. Independent Claim 45 and Associated Dependent Claims 46-49

Independent claim 45 recites the limitation "wherein the host computer system is...operative to load payout funds corresponding to the desired amount of money to be transferred in a payout account associated with a payout card." Contrary to the Examiner's assertion, this feature is not disclosed in Konya. Instead, Konya explicitly and repeatedly discloses that funds *are not actually transferred* to a second account associated with a transaction card of a recipient. (*Konya*, abstract; col. 6, lines 37-41; col. 9, lines 28-30). Rather, the transaction card in Konya is used by the recipient *solely* to identify the recipient when attempting to withdraw the "transferred" funds. (*Konya*, abstract; col. 6, lines 18-21; col. 6, lines 38-40). In Konya, after the funds are dispensed to the recipient, the sender's account is then debited the amount of the transaction. (*Konya*, col., lines 20-25; col., line 30; col. 11, lines 59-66). Thus, in Konya, payout funds are never actually loaded into a payout account associated with a payout card; they remain in a sender's account until after they are dispensed to a recipient from an ATM.

It should be pointed out that the Examiner agrees with Appellants' analysis when applied to the embodiment in Konya where both the sender and the recipient have accounts at the same financial institution. Yet the Examiner contends that Konya teaches otherwise when multiple financial institutions are involved and directs Appellants' attention to Konya, column 9, lines 39-65 to support his argument. However, this passage fails to support the Examiner's position.

A careful reading of the entire Konya disclosure teaches that funds are not actually transferred from the sender's account when multiple financial institutions are involved, much like the single financial institution embodiment. In Konya, when the money transfer transaction is initiated by the sender, information regarding the transaction is transmitted to the main computer. This information includes the sender's bank account number and the routing code of the sender's bank, for example, so that the main computer can identify the specific account from which the currency must be debited after funds are dispensed to a recipient. (*Konya*, col. 10, line 62 to col. 11, line 66). In Konya, after the funds are dispensed to the recipient, the transaction is still incomplete. The routing code and the account number stored in the main computer system are used to identify the specific account at the bank from which the currency must then be debited. (*Konya*, col. 11, lines 49-66).

Accordingly, Konya clearly fails to disclose "wherein the host computer system is...operative to load payout funds corresponding to the desired amount of money to be transferred in a payout account associated with a payout card." Neither Konya's single financial institution embodiment nor Konya's multiple financial institution embodiment teach the recited element. Thus, the Examiner's § 102(b) rejection of claim 45 and its associated dependent claims, claims 46-49, is believed to be improper and should be reversed.

D. Claims 6, 22, 38 and 50 Are Patentable Under 35 U.S.C. § 103(a) Over Konya In View of Berg

There are three basic requirements that must be met in order to establish a *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (*see* MPEP § 2143).

Claims 6, 22, 38 and 50 are dependent claims and are believed to be allowable based upon their dependency from allowable independent claims as discussed above in detail. Moreover, each of these claims recite additional features that are not disclosed or suggested in either Konya or Berg.

1. Claims 6 and 22

Both claims 6 and 22 recite the additional step of "providing, by a host computer system, an account code corresponding to the payout account for transmission to a terminal so that the terminal may write the account code to the payout card, and storing the account code on the host computer system." Neither Konya or Berg, alone or in combination, disclose or suggest this limitation. In particular, the asserted references fail to teach providing an account code corresponding to the payout account for transmission to the terminal so that the terminal *may write the account code to the payout card.* The Examiner's rejection of claims 6 and 22 fails to even address *all* the features of these claims.

Berg is directed toward smart card transactions that permits one or more users to transmit funds electronically from one smart card to another directly without the aid of a terminal for facilitating the transfer. (*Berg*, abstract). In general, smart cards can be used as a replacement for cash. (*Berg*, col. 1, lines 65-66). An owner of a smart card purchases funds that are stored in the memory of the smart card. When the smart card owner engages in a financial transaction, a portion of the monetary values are deducted from the smart card memory. (*Berg*, col. 2, lines 1-9). That is, funds are stored in the smart card's memory. A terminal does not write an account code corresponding to a payout account to a blank payout card so that the payout card can be used to access the funds stored at the host computer system as recited in claims 6 and 22.

The Examiner directs Appellants attention to column 8, lines 37-56 of Berg to support his contention. However, this passage merely discloses that the smart card of Berg is capable of keeping a record of "cash" transactions. Specifically, the smart card can log the identification of the source of funds deposited on the smart card and also the identification of the destination of funds withdrawn from the smart card. Berg does not, however, disclose providing an account code to a terminal so that the terminal may write the account code to the payout card in order to associate the payout card with the payout account stored on the host computer system. Thus, the combination of Konya and Berg falls short of teaching each and every element of claims 6 and 22. Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness and the § 103 rejection of claims 6 and 22 should be reversed.

2. Claims 38 and 50

Claims 38 and 50 recite similar limitations. Claim 38, which depends from claim 34 specifically recites "wherein the host computer system is operative to provide an account code corresponding to the payout account for transmission to a terminal so that the

terminal may write the account code to the payout card." Similarly, claim 50, which depends from claim 45, specifically recites "wherein the host computer system is operative to provide an account code corresponding to the payout account and to store the account code, and the terminal includes a card writer and is operative to receive the account code and to write the account code to the payout card using the card writer." Neither Konya or Berg, alone or in combination, disclose or suggest this limitation. In particular, the asserted references fail to teach a system operative to provide an account code corresponding to the payout account for transmission to the terminal so that the terminal *may write the account code to the payout card*. The Examiner's rejection of claims 38 and 50 fails to even address *all* the features of these claims.

Berg is directed toward smart card transactions that permits one or more users to transmit funds electronically from one smart card to another directly without the aid of a terminal for facilitating the transfer. (*Berg*, abstract). In general, smart cards can be used as a replacement for cash. (*Berg*, col. 1, lines 65-66). An owner of a smart card purchases funds that are stored in the memory of the smart card. When the smart card owner engages in a financial transaction, a portion of the monetary values are deducted from the smart card memory. (*Berg*, col. 2, lines 1-9). That is, funds are stored in the smart card's memory. A terminal does not write an account code corresponding to a payout account to a blank payout card so that the payout card can be used to access the funds stored at the host computer system as recited in claims 38 and 50.

The Examiner directs Appellants attention to column 8, lines 37-56 of Berg to support his contention. However, this passage merely discloses that the smart card of Berg is capable of keeping a record of "cash" transactions. Specifically, the smart card can log the identification of the source of funds deposited on the smart card and also the identification of the destination of funds withdrawn from the smart card. Berg does not, however, disclose providing an account code to a terminal so that the terminal may write the account code to the

payout card in order to associate the payout card with the payout account stored on the host computer system. Thus, the combination of Konya and Berg falls short of teaching each and every element of claims 38 and 50. Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness and the § 103 rejection of claims 38 and 50 should be reversed.

E. Claims 7-13, 23-29, 39-41 and 51-53 Are Patentable Under 35 U.S.C. § 103(a) Over Konya In View of Berg and In Further View of Cooper

Claims 7-13, 23-29, 39-41 and 51-53 are dependent claims and are believed to be allowable based upon their dependency from allowable independent claims as discussed above in detail.

F. Claims 10-13, 26-30, 42-44, 54-59 and 61-64 Are Patentable Under 35 U.S.C. § 103(a) Over Konya

There are three basic requirements that must be met in order to establish a *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (*see* MPEP § 2143).

1. Claim 30

Claim 30 is directed to a method for performing a money transfer transaction including a send transaction and a receive transaction and recites, among other features,

"loading payout funds, corresponding to at least a portion of a desired amount of money to be transferred, in an account associated with the account number and maintained on the host computer system, if the transaction identifying information matches the transaction data stored on the host computer system." Contrary to the Examiner's assertion, this feature is not disclosed in Konya. Instead, Konya explicitly and repeatedly discloses that funds *are not actually transferred* to a second account associated with a transaction card of a recipient. (*Konya*, abstract; col. 6, lines 37-41; col. 9, lines 28-30). Rather, the transaction card in Konya is used by the recipient *solely* to identify the recipient when attempting to withdraw the "transferred" funds. (*Konya*, abstract; col. 6, lines 18-21; col. 6, lines 38-40). In Konya, after the funds are dispensed to the recipient, the sender's account is then debited the amount of the transaction. (*Konya*, col. 6, lines 20-25; col. 9, line 30; col. 11, lines 59-66). Thus, in Konya, payout funds are never actually loaded into a payout account associated with a payout card; they remain in a sender's account until after they are dispensed to a recipient from an ATM.

It should be pointed out that the Examiner agrees with Appellants' analysis when applied to the embodiment in Konya where both the sender and the recipient have accounts at the same financial institution. Yet the Examiner contends that Konya teaches otherwise when multiple financial institutions are involved and directs Appellants' attention to Konya, column 9, lines 39-65 to support his argument. However, this passage fails to support the Examiner's position.

A careful reading of the entire Konya disclosure teaches that funds are not actually transferred from the sender's account when multiple financial institutions are involved, much like the single financial institution embodiment. In Konya, when the money transfer transaction is initiated by the sender, information regarding the transaction is transmitted to the main computer. This information includes the sender's bank account number and the routing code of the sender's bank, for example, so that the main computer can identify the specific

account from which the currency must be debited after funds are dispensed to a recipient. (*Konya*, col. 10, line 62 to col. 11, line 66). In Konya, after the funds are dispensed to the recipient, the transaction is still incomplete. The routing code and the account number stored in the main computer system are used to identify the specific account at the bank from which the currency must then be debited. (*Konya*, col. 11, lines 49-66).

Accordingly, Konya clearly fails to disclose "loading payout funds, corresponding to at least a portion of a desired amount of money to be transferred, in an account associated with the account number and maintained on the host computer system, if the transaction identifying information matches the transaction data stored on the host computer system." Neither Konya's single financial institution embodiment nor Konya's multiple financial institution embodiment teach the recited step. Thus, the Examiner's § 103(a) rejection of claim 30 and its associated dependent claims, claims 63-65, is believed to be improper and should be reversed.

2. Claims 10-13, 26-29, 42-44, 54-59 and 61-64

Claims 10-13, 26-29, 42-44, 54-59 and 61-64 are dependent claims and are believed to be allowable based upon their dependency from allowable independent claims as discussed above in detail. Moreover, many of these claims recite additional features that are not disclosed or suggested in Konya.

a. Claims 57 and 63

For example, claim 57 and claim 63, recite prior to the loading step "determining...whether the payout card is eligible for use in the receive transaction." Konya

fails to disclose or suggest this limitation. The present invention contemplates that a source of payout cards can be provided to an receive-agent or agent location. When a recipient initiates the receive transaction, the agent may select a payout card from the source of payout cards and card identifying information from the selected payout card may be transmitted to the host computer system. The host computer system may then determine if the selected payout card is eligible for use in the receive transaction. (*Specification*, p. 6, lines 10-26; p. 10, line 22 to p. 11, line 30).

Konya, on the other hand, teaches that if a recipient does not possess a current transaction card, the system may create and issue one upon presentation of proper identification. (*Konya*, col. 12, lines 21-25). However, Konya is silent about determining whether the selected transaction card is eligible for use in the receive transaction. Thus, the Examiner's rejection of claims 57 and 63 under § 103 is improper and should be reversed.

b. Claims 58 and 64

Claims 58 and 64, which depend from claims 57 and 63, respectively, recite the additional limitation "wherein the determining step includes determining whether the payout card was previously assigned to an agent facility involved in the receive transaction." Likewise, Konya fails to disclose or suggest this limitation as well. The present invention contemplates that a source of payout cards can be provided to a receive-agent or agent location. When a recipient initiates the receive transaction, the agent may select a payout card from the source of payout cards and card identifying information from the selected payout card may be transmitted to the host computer system. The host computer system may then determine if the selected payout card is eligible for use in the receive transaction. One way the host computer system can determine whether the selected payout card is eligible for use in the receive

transaction is by determining if the selected payout card was previously assigned to the particular agent facility. (*Specification*, p. 6, lines 10-26; p. 10, line 22 to p. 11, line 30).

On the other hand, Konya teaches that if a recipient does not possess a current transaction card, the system may create and issue one upon presentation of proper identification. (*Konya*, col. 12, lines 21-25). However, Konya is silent about determining whether the selected transaction card is eligible for use in the receive transaction. Moreover, Konya fails to teach or suggest determining whether the payout card was previously assigned to the agent location where the receive transaction is initiated. Thus, the Examiner's rejection of claims 58 and 64 under § 103 is improper and should be reversed.

G. Claim 65 Is Patentable Under 35 U.S.C. § 103(a) Over Konya In View of Ballard

Claim 65 is a dependent claim and is believed to be allowable based upon its dependency from an allowable independent claim as discussed above in detail.

CONCLUSION

In view of the foregoing, the Appellants respectfully request that the Board reverse the final rejection of claims 1-65.

A check covering the fee of $500 as applicable under the provisions of 37 C.F.R. § 41.20(b)(2) is enclosed. Please charge any additional fee or credit any overpayment in connection with this filing to our Deposit Account No. 02-3978.

Respectfully submitted,

DEAN A. SEIFERT ET AL.

By: 

Michael D. Cushion
Registration No. 55,094
Attorney/Agent for Applicant

Date: 8/18/05

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351

Enclosure - Appendix

VIII. CLAIMS APPENDIX

1. A method for performing a money transfer receive transaction, the method comprising:

loading payout funds, corresponding to at least a portion of a desired amount of money to be transferred from a sender to a recipient, in a payout account associated with a payout card, such that the payout funds are electronically accessible by the recipient using the payout card.

2. The method of claim 1 further comprising authorizing issuance of the payout card to the recipient.

3. The method of claim 1 further comprising receiving at a host computer system, prior to the loading step, card identifying information associated with the payout card, and storing the card identifying information and payout funds on the host computer system.

4. The method of claim 3 further comprising receiving input associated with the payout card, comparing the input to the card identifying information stored on the host computer system, and allowing a portion of the payout funds to be debited from the payout account if the input matches the card identifying information stored on the host computer system.

5. The method of claim 3 further comprising receiving input associated with the payout card, comparing the input to the card identifying information stored on the host computer system, and allowing funds corresponding to a portion of the payout funds to be

dispensed to the recipient if the input matches the card identifying information stored on the host computer system.

6. The method of claim 1 further comprising providing, by a host computer system, an account code corresponding to the payout account for transmission to a terminal so that the terminal may write the account code to the payout card, and storing the account code on the host computer system.

7. The method of claim 6 further comprising providing, by the host computer system, an identification code for use with the payout card and for transmission to the terminal so that the terminal may cause the identification code to be printed on a receipt, and storing the identification code on the host computer system.

8. The method of claim 7 further comprising receiving input associated with the payout card, comparing the input to the account code and identification code stored on the host computer system, and allowing a portion of the payout funds to be debited from the payout account if the input matches the account code and identification code stored on the host computer system.

9. The method of claim 7 further comprising receiving input associated with the payout card, comparing the input to the account code and identification code stored on the host computer system, and allowing funds corresponding to a portion of the payout funds to be dispensed to the recipient if the input matches the account code and identification code stored on the host computer system.

10. The method of claim 1 further comprising allowing the payout account to be debited by an amount sufficient to cover a transaction fee.

11. The method of claim 1 further comprising allowing the payout account to be exceeded by an amount sufficient to cover a transaction fee.

12. The method of claim 1 further comprising loading an additional amount in the payout account to cover a transaction fee.

13. The method of claim 12 further comprising automatically calculating the transaction fee.

14. The method of claim 1 further comprising authorizing issuance of a negotiable instrument to the recipient that corresponds to another portion of the desired amount of money to be transferred.

15. The method of claim 1 further comprising authorizing issuance of cash to the recipient that corresponds to another portion of the desired amount of money to be transferred.

16. The method of claim 1 wherein the payout card has been previously issued to the recipient.

17. A method for performing a money transfer transaction, the method comprising:

storing transaction data on a host computer system, wherein the transaction data includes a desired amount of money to be transferred to a recipient;

receiving transaction identifying information provided by the recipient;

comparing the transaction identifying information with the transaction data stored on the host computer system; and

loading payout funds corresponding to at least a portion of the desired amount of money to be transferred in a payout account associated with a payout card if the transaction identifying information matches the transaction data stored on the host computer system, such that the payout funds are electronically accessible by the recipient using the payout card.

18. The method of claim 17 further comprising authorizing issuance of the payout card to the recipient.

19. The method of claim 17 further comprising receiving at the host computer system, prior to the loading step, card identifying information associated with the payout card, and storing the card identifying information on the host computer system.

20. The method of claim 19 further comprising receiving input associated with the payout card, comparing the input to the card identifying information stored on the host computer system , and allowing funds corresponding to a portion of the payout funds to be dispensed to the recipient if the input matches the card identifying information stored on the host computer system.

21. The method of claim 19 further comprising receiving input associated with the payout card, comparing the input to the card identifying information stored on the host computer system, and allowing a portion of the payout funds to be debited from the payout

account if the input matches the card identifying information stored on the host computer system.

22. The method of claim 17 further comprising providing, by a host computer system, an account code corresponding to the payout account for transmission to terminal so that the terminal may write the account code to the payout card, and storing the account code on the host computer system.

23. The method of claim 22 further comprising providing, by the host computer system, an identification code for use with the payout card and for transmission to the terminal so that the terminal may cause the identification code to be printed on a receipt, and storing the identification code on the host computer system.

24. The method of claim 23 further comprising receiving input associated with the payout card, comparing the input to the account code and identification code stored on the host computer system, and allowing a portion of the payout funds to be debited from the payout account if the input matches the account code and identification code stored on the host computer system.

25. The method of claim 23 further comprising receiving input associated with the payout card, comparing the input to the account code and identification code stored on the host computer system, and allowing funds corresponding to a portion of the payout funds to be dispensed to the recipient if the input matches the account code and identification code stored on the host computer system.

26. The method of claim 17 further comprising allowing the payout account to be exceeded by a predetermined amount in order to cover a transaction fee.

27. The method of claim 17 further comprising loading an additional amount in the payout account to cover a transaction fee.

28. The method of claim 27 further comprising automatically calculating the transaction fee using the host computer system.

29. The method of claim 17 wherein the payout card has been previously issued to the recipient.

30. A method for performing a money transfer transaction including a send transaction and a receive transaction, the method comprising:

storing transaction data on a host computer system as part of the send transaction, wherein the transaction data includes a desired amount of money to be transferred from a sender to a recipient;

receiving transaction identifying information from a receive-transaction initiating terminal in communication with the host computer system as part of the receive transaction, wherein the transaction identifying information is provided by the recipient;

comparing the transaction identifying information with the transaction data stored on the host computer system;

receiving at the host computer card identifying information associated

with a payout card from the receive-transaction initiating terminal, wherein the card identifying information includes an account number and the payout card is selected from a source of payout cards maintained at a common location with the receive-transaction initiating terminal;

storing the card identifying information on the host computer system;

loading payout funds, corresponding to at least a portion of the desired amount of money to be transferred, in an account associated with the account number and maintained on the host computer system, if the transaction identifying information matches the transaction data stored on the host computer system;

receiving input associated with the payout card from a receive-transaction fulfillment terminal in communication with the host computer system;

comparing the input to the card identifying information stored on the host computer system;

allowing funds corresponding to the payout funds to be dispensed by the receive-transaction fulfillment terminal to the recipient if the input matches the card identifying information stored on the host computer system; and

allowing the payout account to be exceeded by a predetermined amount in order to cover a transaction fee;

wherein the receive transaction is staged through the receive-transaction initiating terminal and fulfilled through the receive-transaction fulfillment terminal.

31. A method for performing a money transfer receive transaction, the method comprising:

entering card identifying information associated with a payout card into a receive-transaction initiating terminal that is in communication with a host computer system;

requesting via the receive-transaction initiating terminal that the host computer system load payout funds, corresponding to at least a portion of a desired amount of money

to be transferred from a sender to a recipient, into a payout account associated with the payout card; and

providing the payout card to the recipient.

32. The method of claim 31 further comprising issuing a negotiable instrument to the recipient that corresponds to another portion of the desired amount of money to be transferred.

33. The method of claim 31 further comprising issuing cash to the recipient that corresponds to another portion of the desired amount of money to be transferred.

34. A system for performing a money transfer receive transaction, the system comprising:

a host computer system including instructions for loading payout funds, corresponding to a desired amount of money to be transferred from a sender to a recipient, in a payout account associated with a payout card, such that the payout funds are electronically accessible by the recipient using the payout card.

35. The system of claim 34 wherein the host computer system is operative to receive card identifying information associated with the payout card, and further includes instructions for storing the card identifying information.

36. The system of claim 35 wherein the host computer system is further operative to receive input associated with the payout card, and further includes instructions for comparing the input to the stored card identifying information, and instructions for allowing

funds corresponding to a portion of the payout funds to be dispensed to the recipient if the input matches the stored card identifying information.

37. The system of claim 35 wherein the host computer system is further operative to receive input associated with the payout card, and further includes instructions for comparing the input to the stored card identifying information, and instructions for allowing a portion of the payout funds to be debited from the payout account if the input matches the stored card identifying information.

38. The system of claim 34 wherein the host computer system is operative to provide an account code corresponding to the payout account for transmission to a terminal so that the terminal may write the account code to the payout card, and to store the account code.

39. The system of claim 38 wherein the host computer system is further operative to provide an identification code for use with the payout card and for transmission to the terminal so that the terminal may cause the identification code to be printed on a receipt, and to store the identification code.

40. The system of claim 39 wherein the host computer system is further operative to receive input associated with the payout card, and further includes instructions for comparing the input to the stored account code and stored identification code, and instructions for allowing a portion of the payout funds to be debited from the payout account if the input matches the stored account code and stored identification code.

41. The system of claim 39 wherein the host computer system is further operative to receive input associated with the payout card, and further includes instructions for comparing the input to the stored account code and stored identification code, and instructions for allowing funds corresponding to a portion of the payout funds to be dispensed to the recipient if the input matches the stored account code and stored identification code.

42. The system of claim 34 wherein the host computer system further includes instructions for allowing the payout account to be exceeded by a predetermined amount in order to cover a transaction fee.

43. The system of claim 34 wherein the host computer system further includes instructions for loading an additional amount in the payout account to cover a transaction fee.

44. The system of claim 43 wherein the host computer system further includes instructions for automatically calculating the transaction fee.

45. A system for performing a money transfer transaction, the system comprising:

a host computer system for storing transaction data, wherein the transaction data includes a desired amount of money to be transferred to a recipient; and

a terminal in communication with the host computer system for receiving transaction identifying information and for transmitting the transaction identifying information to the host computer system;

wherein the host computer system is operative to compare the transaction identifying information with the stored transaction data, and is further operative to load payout

funds corresponding to the desired amount of money to be transferred in a payout account associated with a payout card if the transaction identifying information matches the stored transaction data.

46. The system of claim 45 wherein the terminal is operative to receive card identifying information associated with the payout card, and is further operative to transmit the card identifying information to the host computer system, and wherein the host computer system includes instructions for storing the card identifying information and payout funds.

47. The system of claim 46 wherein the terminal includes a card reader for reading the card identifying information from the payout card.

48. The system of claim 46 wherein the host computer system is further operative to receive input associated with the payout card, and further includes instructions for comparing the input to the stored card identifying information, and instructions for allowing funds corresponding to a portion of the payout funds to be dispensed to the recipient if the input matches the stored card identifying information.

49. The system of claim 46 wherein the host computer system is further operative to receive input associated with the payout card, and further includes instructions for comparing the input to the stored card identifying information, and instructions for allowing a portion of the payout funds to be debited from the payout account if the input matches the stored card identifying information.

50. The system of claim 45 wherein the host computer system is operative to provide an account code corresponding to the payout account and to store the account code, and the terminal includes a card writer and is operative to receive the account code and to write the account code to the payout card using the card writer.

51. The system of claim 50 wherein the host computer system is further operative to provide an identification code for use with the payout card and to store the identification code, and the terminal is operative to receive the identification code and to cause the identification code to be printed on a receipt.

52. The system of claim 51 wherein the host computer system is further operative to receive input associated with the payout card, and further includes instructions for comparing the input to the stored account code and stored identification code, and instructions for allowing funds corresponding to a portion of the payout funds to be dispensed to the recipient if the input matches the stored account code and stored identification code.

53. The system of claim 51 wherein the host computer system is further operative to receive input associated with the payout card, and further includes instructions for comparing the input to the stored account code and stored identification code, and instructions for allowing a portion of the payout funds to be debited from the payout account if the input matches the stored account code and stored identification code.

54. The system of claim 45 wherein the host computer system further includes instructions for allowing the payout account to go negative by a predetermined amount in order to cover a transaction fee.

55. The system of claim 45 wherein the host computer system further includes instructions for loading an additional amount in the payout account to cover a transaction fee.

56. The system of claim 55 wherein the host computer system further includes instructions for automatically calculating the transaction fee.

57. The method of claim 1 further comprising receiving at a host computer system, prior to the loading step, card identifying information associated with the payout card, and determining whether the payout card is eligible for use in the receive transaction.

58. The method of claim 57 wherein the determining step includes determining whether the payout card was previously assigned to an agent location involved in the receive transaction.

59. The method of claim 1 wherein the payout card is not associated with the recipient prior to the receive transaction.

60. The method of claim 1 wherein the payout account is not accessible by the sender.

61. The method of claim 1 wherein the payout card is selected from a source of payout cards by a receive-agent that facilitates the receive transaction.

62. The method of claim 1 further comprising dispensing the payout card from a terminal for issuance to the recipient after the loading step.

63. The method of claim 30 further comprising determining, prior to the loading step, whether the payout card is eligible for use in the receive transaction.

64. The method of claim 63 wherein the determining step includes determining whether the payout card was previously assigned to an agent facility involved in the receive transaction.

65. The method of claim 30 wherein the payout card is anonymous as to the recipient's name.